

## REMARKS

By the present amendment, independent claims 21, 24 and 32 have been amended to clarify features of the present invention, as discussed below.

As to the rejection of claims 21-43 under 35 USC 102(b) as being anticipated by Sakakibara (U.S. Patent No. 6,476,728 B1), such rejection is traversed in so far as it is applicable to the claims, as amended, and reconsideration and withdrawal of the rejection is respectfully requested.

At the outset, applicant submits that an exemplary object of this invention, as shown for illustrative purposes in Fig. 1, is to provide an electric appliance renting system capable of reducing the life cycle cost of an electric appliance (e.g., 31, 32, 33) such as the initial cost required for purchase of the appliance, the work cost and the scrapping, or disposal cost.

In general, the work conditions of electric appliances largely differ depending upon an installed condition or a user life pattern. Therefore, maintenance and replacement of rented information electric appliances is made so as to meet the work condition of each of the information electric appliances rented to the user, so that work result data for each information electric appliance can be collected.

To this end, this invention provides an exemplary configuration wherein, as now recited in claim 21, "the at least one information electric appliance enables sending of data indicative of at least electric power consumed for each of the information electric appliances rented to different individual contractors to a rent managing server of the service providing company through a communication line", for example.

With this configuration, the service providing company can check the work result data for each rented information electric appliance through the rent managing

server periodically to judge whether it is necessary to carry out maintenance for each information electric appliance. This is described on pp. 28, line 8 to pp. 29, line 8 of the specification.

The service providing company also can store the work result data for each rented information electric appliance in the rent managing server to consider the work pattern or the working rate (operating ratio) of each information electric appliance rented to a use contractor or propose a replacement to the contractor, as is described on pp. 29, line 9 to pp. 30, line 6, and pp. 30, lines 19-27 of the specification. This arrangement provides a more efficient and effective system of monitoring, maintaining, and replacement (when needed) of information electric appliances than is heretofore known to the prior art.

#### Response to Rejection based on 35 USC 102

Sakakibara ('728) does not anticipate the claimed invention because Sakakibara does not describe each and every element as set forth in the claims, either expressly or inherently.

As to the requirements to support a rejection under 35 USC 102, reference is made to the decision of In re Robertson, 49 USPQ 2d 1949 (Fed. Cir. 1999), wherein the court pointed out that anticipation under 35 U.S.C. §102 requires that each and every element as set forth in the claim is found, either expressly or inherently described in a single prior art reference. As noted by the court, if the prior art reference does not expressly set forth a particular element of the claim, that reference still may anticipate if the element is "inherent" in its disclosure. To establish inherency, the extrinsic evidence "must make clear that the missing descriptive matter is necessarily present in the thing described in the reference, and

that it would be so recognized by persons of ordinary skill." Moreover, the court pointed out that inherency, however, may not be established by probabilities or possibilities. The mere fact that a certain thing may result from a given set of circumstances is not sufficient.

A purpose of Sakakibara is to provide a power consumption management apparatus with which power consumption in a home office of a homemaker is measured and an integrated value of the power consumption can be grasped by an employer of the homemaker. Sakakibara does not teach or disclose each electronic component sending power consumption data individually, or a service providing company receiving rent from a plurality of contractors.

Sakakibara discloses a power consumption management apparatus including a power tap unit for a power supply (21, Fig. 2) having a communication function. With such a configuration, it is possible to integrate (accumulate) a total consumed power amount of all electric appliances which are connected to the power tap unit at a predetermined location or in a predetermined time. Sakakibara discloses compensating a homemaker for integrated amounts of power consumed and paying the homemaker for electrical charges which correspond to the integrated amounts of power consumed in the home offices (Sakakibara; column 7, lines 26-34). However, the power consumption amount cannot be accumulated or integrated for each of the electric appliances. As a result, maintenance or replacement thereof cannot be carried out based on work result data for each electric appliance.

As such, Sakakibara is not able to monitor and measure power consumption for each information electric appliance, as claimed. Moreover, Sakakibara discloses the companies paying the homeworkers, as opposed to a plurality of individual contractors making rent payments to a service providing company. Based on these

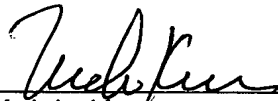
differences, the prior art does not teach or disclose each and every element as required by 35 USC 102.

In view of the above amendments and remarks, applicants submit that all claims present in this application should now be in condition for allowance and issuance of an action of favorable nature is courteously solicited.

To the extent necessary, applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in the fees due in connection with the filing of this paper, including extension of time fees, to the deposit account of Antonelli, Terry, Stout & Kraus, LLP, Deposit Account No. 01-2135 (Case: 500.40416X00), and please credit any excess fees to such deposit account.

Respectfully submitted,

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